

REMARKS

This Amendment is being filed in response to the Office Action mailed January 11, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the following remarks are respectfully requested.

Claims 1, 3-6, 8-17 and 19-26 remain in this application, where claims 2, 7 and 18 had been canceled and claims 21-26 had been added.

In the Office Action, claims 1, 3-6, 8-17 and 19-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,393,574 (Kashiwagi) in view of U.S. Patent No. 5,784,528 (Yamane), U.S. Patent No. 5,999,698 (Nakai) and U.S. Patent No. 6,118,924 (Nakatani). It is respectfully submitted that claims 1, 3-6, 8-17 and 19-26 are patentable over Kashiwagi, Yamane, Nakai and Nakatani for at least the following reasons.

At the outset, it is noted that there is no substantive rejection to claims 21-26 added in the Amendment filed with a Request for Continued Application on November 13, 2007.

Examination of claims 21-26 is respectfully requested.

In the Office Action, page 4, first full paragraph, column 37, lines 44+ and column 38, lines 18-22 of Nakatani. As correctly noted by the Examiner, the noted sections of Nakatani disclose creating a free space list and storing the free space list on an optical disc.

It is respectfully submitted that combining the free space list disclosed in Nakatani with any title list Kashiwagi, Yamane or Nakai merely results in a disc that includes two lists, namely, a title list, and a free space list.

There is simply no teaching or suggestion in the cited sections of Kashiwagi, Yamane, Nakai and Nakatani, alone or in combination, of the present invention as recited in independent claim 1, and similarly recited in independent claims 6 and 17 which, amongst other patentable elements, requires (illustrative emphasis provided):

defining a free space title that represents free space that is available on the disc within the video object storage area and including the free space title in the title list.

Including a free space title in the title list is nowhere taught or suggested in Kashiwagi, Yamane, Nakai, Nakatani and

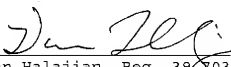
combinations thereof. Rather, at best, such combinations merely disclose two lists, namely, a title list, and a free space list.

Accordingly, it is respectfully submitted that independent claims 1, 6 and 17 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-5, 7-16 and 18-26 should also be allowed based at least on their dependence from independent claims 1, 6 and 17.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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April 10, 2008

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